

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION

ARTIS RAY MOODY

§  
§  
§  
§

vs.

CASE NO. 2:10-CV-94-DF-CE

GAIL STOCKMAN, ET AL.

**ORDER**

The above-titled and numbered civil action was referred to United States Magistrate Judge Chad Everingham pursuant to 28 U.S.C. § 636. The report of the Magistrate Judge (Dkt. No. 5), which contains his recommendation that the court dismiss the plaintiff Artis Ray Moody's suit, has been presented for consideration. The plaintiff filed an objection to the report and recommendation (Dkt. No. 7). Mr. Moody's objection restates his allegation that the defendants caused the wrongful death of his mother. The objection does not, however, allege any facts indicating that this court has subject matter jurisdiction over the controversy.

The court is of the opinion that the conclusions of the Magistrate Judge are correct. Therefore, the court adopts the report of the United States Magistrate Judge, in its entirety, as the conclusions of this court. Accordingly, it is ORDERED that the plaintiff's above-entitled and numbered cause of action is DISMISSED without prejudice for lack of subject matter jurisdiction.

**SIGNED this 12th day of April, 2010.**

  
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DAVID FOLSOM  
UNITED STATES DISTRICT JUDGE